

REMARKS

Claims 1-2, 4-13, 15-18, 20-21, 23-26, and 28-36 are all the claims pending in the application. Claim 27 has been cancelled and claim 36 has been added. Claims 1-2, 4-13, 15-18, 20-21, and 23-35 stand rejected on prior art grounds. Applicants respectfully traverse these rejections based on the following discussion.

I. The Prior Art Rejections

Claims 1-2, 4-13, 15-18, 20-21, and 23-35 stand rejected under 35 U.S.C. §102(b) as being anticipated by King, et al. (U.S. Patent No. 5,872,841), hereinafter referred to as King. Applicants respectfully traverse these rejections based on the following discussion.

The claimed invention provides a method for routing a communication connection request comprising using context information for a caller and/or a called party to determine a communication connection action. In the rejection, the Office Action argues that King discloses many features of the claimed invention. However, King fails to teach selecting the called party without additional input from the caller, wherein the called party is selected based on context information of the caller and/or the called party. Furthermore, King fails to disclose that the identification and/or contact information for the called party is unknown to the caller. Therefore, as explained in greater detail below, Applicants respectfully submit that the prior art of record does not teach the claimed invention.

Applicants respectfully traverse the rejections because King fails to teach using context information for a communication connection requestor and a called party to

determine a communication connection action, wherein the communication connection action comprises a decision as to who should be called and to whom the communication connection requestor should be telephonically connected. Such a feature is defined in independent claims 1, 28, and 29 using similar language. Such a feature is also defined in independent claim 36 using the following language: "selecting a called party without additional input from said caller, wherein said selecting of said called party is based on at least one of context information of said caller and context information of said called party".

Furthermore, Applicants' submit that King fails to teach selecting the called party, wherein the identification and/or contact information of the called party is unknown to the caller. Such a feature is defined in independent claims 12 and 36 using similar language.

More specifically, as discussed in paragraphs 0043 and 0022 of Applicants' disclosure, the context communication request differs from a caller placing a normal call in that the normal call requires the indication of a connection target, or called party. Whereas the prior art identifies the party to be called by having the call initiator provide an identifying number (for example a phone number or PIN number for the called party), the present invention selects the party to be called based on the caller's identification and awareness of the caller's situation.

Furthermore, Applicants' disclosure provides several examples, wherein a called party is selected based on context information from the caller and/or the called party, wherein the called party is selected without additional input from the user. The examples

also illustrate that the identification and/or contact information for the called party is unknown to the caller.

Specifically, paragraph 0034 of Applicants' disclosure provides that a repairman (calling party) is out in the field and is about to finish his job. He dials his number and is connected to his next appointment. The repairman doesn't know who the appointment is with. The inventive system here has received the indication that the calling party has dialed in, has retrieved assignment information (eg to-do list), has analyzed the assignment information, determined that the number of the next assignment permissible for this time of day (eg if homeowner is only there between 11 and 1, and the time of day is now 12:45, indications are that this one should be skipped and the repairman directed to the next assignment), and has initiated the call.

Similarly, paragraph 0032 of Applicants' disclosure provides that a cell phone user (calling party) in the car wants to join his or her currently calendared conference call. The calling party doesn't know the number. Calling party dials their personal number, and is connected to the call. The inventive system here has received the indication that the calling party has dialed in, has retrieved calendar information, has analyzed the calendar information and determined that the calling party is supposed to be attending a voice conference call, and has initiated the conference call (including entering the password). Similar examples are also provided in paragraphs 0033 and 0035 of Applicants' disclosure.

To the contrary, King does not disclose using context information for the caller and/or the called party as a basis to select the called party, wherein the called party is

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selected without additional input from the caller. Rather, the called party is selected directly by the caller. The context information for the caller and/or the called party is not considered in *selecting the called party*. Instead, context information is used only to *schedule a date and time* for the telephone call once the caller has already selected the called party. Additionally, King discloses that the identification and/or contact information for the called party is known to the caller.

Specifically, column 2, lines 27-38 of King discloses an interface for obtaining information from a calling party (i.e., the initiator of the scheduling of the telephone call), calendar data which includes a calendar for a called party (i.e., the other party to the telephone call), and an agent module. The agent module, in response to a *request to schedule a call by the calling party*, searches the calendar of the called party to determine an available slot for the telephone call. After confirming that the available slot for the telephone call is acceptable to the calling party, the agent module schedules the telephone call in the available slot of the calendar for the called party. Moreover, as discussed in column 9, lines 21-26, the agent module obtains the identity of the called party. Additional information, such as the estimated duration of the phone call and who will initiate the telephone call, is obtained, for example by querying the calling party and requesting the calling party to input from the calling party's telephone keypad.

Therefore, it is Applicants' position that King fails to teach the claimed feature of "using said context information for said communication connection requestor and context information for a called party to determine a communication connection action ... wherein said communication connection action comprises a decision as to who should be

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called and to whom said communication connection requestor should be telephonically connected" as defined by independent claims 1, 28, and 29; and, "selecting a called party without additional input from said caller, wherein said selecting of said called party is based on at least one of context information of said caller and context information of said called party" as defined by independent claim 36. Furthermore, King fails to teach the claimed feature wherein at least one of an identification of said called party and contact information for said called party is unknown to said user/caller, as defined by independent claims 12 and 36.

Furthermore, Applicants respectfully traverse the rejections because, contrary to the position taken in the Office Action, King fails to teach using context information for a called party to determine a communication connection action, wherein the context information comprises corporate and/or personal data of the called party from a location, activity, and/or network address of a personal device of the called party, comprising a cellular telephone, an office telephone, a home telephone, a laptop computer, a desktop computer, and/or an automobile. Furthermore, King fails to teach such corporate and/or personal data of the called party from sensors that detect motion, sound, light, and/or pressure deployed in spaces frequented by the called party and/or radio frequency identification (RFID) readers that detect the presence of companion devices that have been provisioned with identification numbers associated with the called party. Such features are defined in independent claims 17, 27, 28, 29 and dependent claims 32 and 33 using similar language.

The Office Action argues that King discloses using data of the called party from an activity of a personal device of the called party (Office Action, middle of p. 9). More specifically, the Office Action asserts that King discloses that the "calling party" can use the digits of telephone 12 to forward to voice mail system interface 51 a number which represents the estimated number of minutes for a call (King, col. 4, lines 10-13).

However, such data is from an activity conducted by the *calling* party – not the *called* party. Applicants submit that nothing within King teaches obtaining data from an activity of a personal device of the called party. Rather, only activity of a personal device of the calling party is disclosed.

Additionally, the Office Action argues that King discloses using data of the called party from a location, activity, and/or network address of a desktop computer of the called party (Office Action, middle of p. 9). In support for this contention, the Office Action argues that the agent module 60 downloads the calling party's and the called party's calendars and performs scheduling (citing King, col. 19-21).

However, Applicants submit that the called party's calendar is not data that is obtained from the "location, activity, [or] network address" of the called party's desktop computer. In other words, although the called party's desktop computer may include the called party's calendar in memory, analyzing the location, activity, and/or the network address of the called party's desktop computer would not provide the called party's calendar.

Moreover, nothing within King discloses downloading the called party's calendar from a personal device of the called party, including the called party's desktop computer.

Rather, King only discloses downloading the calling party's calendar. Applicants submit that nothing within King mentions the called party's desktop computer; and, a word search for "desktop" and "computer" resulted in zero (0) relevant matches.

Applicants further submit that nothing within King discloses obtaining data of the called party from the "location, activity [and/or] network address" of a personal device of the called party. Rather, the only data that is obtained from the called party is the called party's calendar; and, the called party's calendar is not obtained from the "location, activity [and/or] network address" of a personal device of the called party.

Conversely, as discussed in paragraphs 0023-0024 of Applicants' disclosure, the connection details are determined by awareness of the calling situation (context). The context of the calling party includes but is not limited to both corporate and personal data obtained from the location, activity and network address of personal devices such as cell phones, office phones, home phones, laptop and desktop computers, automobiles, etc. Further, the invention permits delivery of the communication responsive to the called party context which may include the same sources as detailed above for the calling party.

Therefore, it is Applicants' position that King fails to teach the claimed feature of "using ... context information for a called party to determine a communication connection action, wherein said context information for said called party comprises ... at least one of corporate and personal data of said called party from ... at least one of a location, activity, and network address of at least one personal device of said called party, comprising at least one of a cellular telephone, an office telephone, a home telephone, a laptop computer, a desktop computer, and an automobile" as defined by independent

claims 17, 27, 28 and dependent claims 32 and 33. Moreover, King fails to teach the claimed feature of "at least one processor operative to route a caller's call based upon ... context information for a called party, wherein said context information for said called party comprises ... at least one of corporate and personal data of said called party from ... at least one of a location, activity, and network address of at least one personal device of said called party, comprising at least one of a cellular telephone, an office telephone, a home telephone, a laptop computer, a desktop computer, and an automobile" as defined by independent claim 29.

In addition, Applicants submit that King does not disclose determining a communication connection action using corporate and/or personal data of the called party from sensors that detect motion, sound, light, and/or pressure deployed in spaces frequented by the called party. Such features are defined in independent claims 17, 27, 28, 29 and dependent claims 32 and 33 using similar language.

As discussed above, the only data that is obtained from the called party is the called party's calendar; and, the called party's calendar is not obtained from "sensors that detect motion, sound, light, [and/or] pressure". Nothing within King mentions the use of sensors or the detection of motion, sound, light, and/or pressure. A word search within King for the terms "motion", "sound", "light", and "pressure" resulted in zero (0) results. Moreover, the Office Action does not reference any support within the prior art to maintain its argument that such features are taught by King.

Conversely, as discussed in paragraphs 0023-0024 of Applicants' disclosure, the connection details are determined by awareness of the calling situation (context). The

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context of the calling party includes but is not limited to both corporate and personal data obtained from special-purpose sensors that detect motion, sound, light, pressure, etc. deployed in spaces frequented by the call participants. Further, the invention permits delivery of the communication responsive to the called party context which may include the same sources as detailed above for the calling party.

Therefore, it is Applicants' position that King fails to teach the claimed feature of "using ... context information for a called party to determine a communication connection action, wherein said context information for said called party comprises ... at least one of corporate and personal data of said called party from ... sensors that detect at least one of motion, sound, light, and pressure deployed in spaces frequented by said called party" as defined by independent claims 17, 27, 28 and dependent claims 32 and 33. Moreover, King fails to teach the claimed feature of "at least one processor operative to route a caller's call based upon ... context information for a called party, wherein said context information for said called party comprises ... at least one of corporate and personal data of said called party from ... sensors that detect at least one of motion, sound, light, and pressure deployed in spaces frequented by said called party" as defined by independent claim 29.

Furthermore, Applicants submit that King does not disclose determining a communication connection action using corporate and/or personal data of the called party from RFID readers that detect the presence of companion devices that have been provisioned with identification numbers associated with the called party. Such features

are defined in independent claims 17, 27, 28, 29 and dependent claims 32 and 33 using similar language.

As discussed above, the only data that is obtained from the called party is the called party's calendar; and, the called party's calendar is not obtained from "radio frequency identification readers that detect the presence of companion devices that have been provisioned with identification numbers associated with said called party". Nothing within King mentions the use of RFID technology or companion devices having identification numbers associated with the called party. A word search within King for the terms "radio" and "frequency" resulted in zero (0) results. Moreover, the Office Action does not reference any support within the prior art to maintain its argument that such features are taught by King.

Conversely, as discussed in paragraphs 0023-0024 of Applicants' disclosure, the connection details are determined by awareness of the calling situation (context). The context of the calling party includes but is not limited to both corporate and personal data obtained from RFID readers that detect the presence of companion devices (for example RFID tags) that have been provisioned with identification numbers associated with the call participants. Further, the invention permits delivery of the communication responsive to the called party context which may include the same sources as detailed above for the calling party.

Therefore, it is Applicants' position that King fails to teach the claimed feature of "using ... context information for a called party to determine a communication connection action, wherein said context information for said called party comprises ... at

least one of corporate and personal data of said called party from ... radio frequency identification readers that detect the presence of companion devices that have been provisioned with identification numbers associated with said called party” as defined by independent claims 17, 27, 28 and dependent claims 32 and 33. Moreover, King fails to teach the claimed feature of “at least one processor operative to route a caller’s call based upon ... context information for a called party, wherein said context information for said called party comprises ... at least one of corporate and personal data of said called party from ... radio frequency identification readers that detect the presence of companion devices that have been provisioned with identification numbers associated with said called party” as defined by independent claim 29.

In addition, the Office Action argues that King discloses using context information for a called party to assist in determining a communication connection action, wherein the context information comprises a called party connectivity (Office Action, p. 8, item 18). However, the Office Action does not provide any support to maintain such an assertion. Such features are defined in independent claims 1, 12, 17, 27, 28, and 29 using similar language.

More specifically, as described in paragraph 0045 of Applicants’ disclosure, a connection objective is determined in FIG. 5. A connection objective includes but is not limited to a conference call, a person, a room, or a role. Determining may be based solely on calling party context, or may include iterative processes based on initial connection objectives and mediated by called enterprise or called party policy, availability, connectivity or other factors.

To the contrary, nothing within King discloses determining, analyzing, or otherwise using the connectivity of the called party. Moreover, nothing within King discusses the quality or capability of being connected in regards to the called party. As such, Applicants respectfully submit that King fails to teach using context information for a called party to determine a communication connection action, wherein the context information comprises the connectivity of the called party. Instead, the Office Action asserts that King merely discloses using context information of the called party which includes the policy as to who will call and when, and available timeslots in the called party's calendar (Office Action, bottom of p.8).

Specifically, as discussed in column 5, lines 45-61 of King, when configuring the calendar, the called party chooses one of the following options: (1) the called party always will make the call back; (2) the calling party always will make the call back; (3) the called party indicates a preference for the calling party to call back, but the calling party can overrule this preference; (4) the called party indicates a preference for the called party to call back, but the calling party can overrule this preference; (5) the called party indicates no preference, the calling party may freely choose the party to be called back and the default is the calling party will call back; (6) the called party indicates no preference, the calling party may freely choose the party to be called back and the default is the called party will call back; or (7) the called party indicates a preference based on the number for the calling party at the time of call back (i.e., if it is an expensive call, the called party may prefer not to make the call back). Moreover, as discussed in column 2, lines 31-34 of King, the agent module, in response to a request to schedule a call by the

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